

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

NORBERTO ARREDONDO,)	No. CV-F-06-056 REC
)	(No. CR-F-97-5167 OWW)
)	
Petitioner,)	ORDER DECLINING TO ISSUE
)	CERTIFICATE OF APPEALABILITY
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

The court hereby declines to issue a Certificate of Appealability in connection with petitioner's appeal of the Order Dismissing Second Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255.

Petitioner has filed a second or successive Section 2255 motion without first receiving authorization from the Ninth Circuit. Petitioner's claim for relief is based on United States v. Booker. Therefore, petitioner has not shown that jurists of reason would find it debatable whether this court was correct in its procedural ruling and that jurists of reason would find it

1 debatable that the petition does not state a valid claim of the
2 denial of a constitutional right. Slack v. McDaniel, 529 U.S.
3 473, 484 (2000); Rosas v. Nielsen, 428 F.3d 1229, 1232 (9th Cir.
4 2005).

5 IT IS SO ORDERED.

6 **Dated: March 22, 2006**
668554

/s/ Robert E. Coyle
UNITED STATES DISTRICT JUDGE